

**Rogue River Hazardous Fuel Reduction Project**  
Summary and Discussion of EA Public Comments  
10/24/03

The Rogue River Hazardous Fuel Reduction Project's environmental assessment and draft Finding of No Significant Impacts (FONSI) was made available for a 30-day public review and comment period in August – September 2003. Ten letters of comment were received: 4 individuals (1 individual sent 3 letters of comment) and 4 organizations (one of which stated that they were writing on behalf of themselves and 4 other organizations). The primary issues / comments presented in the letters are summarized and addressed below.

*1. Forest thinning needs to commence! (Cornell)*

Completing the project area-wide plan and environmental assessment will facilitate the BLM's moving forward with smaller neighborhood plans and on-the-ground project implementation. Completion of two neighborhood plans is anticipated this fall (2003) which will allow us to proceed with on-the-ground work this fall and winter. We will then be completing additional neighborhood plans over the next 1 – 2 years. The time spent preparing plans and conducting environmental analysis is necessary both to insure that there is a good balance in meeting the many project objectives as well as meeting the requirements of the law and the various existing and pertinent management plans (e.g., the Medford District Resource Management Plan).

While we hope that no one chooses to appeal or litigate the current or future project decisions, events that could greatly slow project implementation, it is possible. The BLM will be using regulations designed to accelerate the resolution of any formal appeals that are made of the project's decision.

*2. When doing any burning, a conservative and cautious approach preceded by good manual prep work is critical. (McKeen)*

This issue pertains to safety as well as the overall success of the project. The BLM is very cognizant of the potential risks that accompany any use of fire in its resource management program. We are committed to insure that safety is always in the forefront both when developing and conducting vegetation / fuel reduction operations. A part of this is to first determine if broadcast burning is appropriate for site conditions and safety considerations or if some other treatment method should be used such as manual fuel reduction. It may be determined to couple the two in a two step process. Careful planning of burning operations will insure that operations are conducted in a conservative manner.

The collaborative neighborhood planning process is the best place for this concern to be translated into safe, effective and viable plans. During this process, the BLM will coordinate and work with all of the interested residents and property owners in each neighborhood to design a plan that will meet both the overall objectives of the project, the sideboards and constraints of the project, and the resource and safety concerns of all property owners in the neighborhood.

3. *Disclosure and protection of archaeological sites.* (McKeen, Mowen)

Surveys for cultural and archaeological sites are conducted on BLM land as a part of all projects. Some have been completed in the Hellgate Fuel Hazard Reduction Project area. The neighborhood planning process will be the primary context in which these surveys are completed as they address smaller areas and findings can be incorporated into site specific proposals. The generalized protection measures outlined in the EA will be refined on a site specific basis as proposed vegetative / fuels treatments are developed. The sites that the BLM is aware of are purposefully not disclosed in the EA. Doing so creates too great a risk that illegal disturbance / desecration of the sites could occur. Protecting this type of information is permissible under the Archaeological Resources Protection Act.

4. *Acres of anticipated slashbuster treatments and tractor logging need to be better identified.* (KSWC)

*Slashbuster:* The EA states an estimated acreage of potential slashbuster treatments, land within the project area that meets the PDF criteria for its use: 1,257 acres (EA Appendix A, Table A-2). This estimate was derived from GIS screens of existing inventory data of vegetation type, slopes, fuel conditions, etc. It estimated what was considered to be the most acreage where the slashbuster machine might be considered and which was then used as a basis for assessing potential environmental impacts. Further refinement of where the slashbuster, and other treatment methods, would be used to the best advantage was left for the neighborhood planning level.

Since the EA was prepared, we have done some further evaluation of areas of potential slashbuster use based on consideration of the availability of access to some of the identified areas and a consideration of minimum economically operable parcel size. Based on this and public comments regarding slashbuster use, the decision has been made to limit the potential use of the slashbuster to the seldom seen areas in the Applegate Reach (i.e., no slashbuster treatments in the Dunn Reach). With these additional criteria, there are approximately 285 acres in the project area where the slashbuster machine might be used. Actual sites and acreage will be determined as a part of neighborhood planning.

*Tractor logging:* Actual acreage of tractor logging will be better determined during neighborhood planning. The type and extent of tractor logging ultimately implemented will be dependent on stand conditions, interest in the removal of the small diameter trees that are permitted under the selected Alternative 3, and considerations of residual fuel loads if removal of the biomass does not occur.

- *acres proposed for slashbuster treatment in CHU OR-65 and the LSR?*

The Decision limits the use of the slashbuster machine to the seldom seen areas in the Applegate Reach. In that it will not be used in the Dunn Reach, there will be no slashbuster treatments in the LSR or CHU.

- *acres proposed for tractor yarding in CHU OR-65 and the LSR?*

This information is not known. It will be determined as neighborhood planning progresses. Given the diameter limitations in the selected Alternative 3, only minimal acres, if any, are anticipated.

*- acres proposed for tractor logging and slashbuster use in riparian reserves?*

Specific sites and acreage of this are not currently known. It will be determined as a part of neighborhood planning. The use of tractors and slashbusters in the riparian reserves are highly restricted by project design features B.5 and B.9 (EA Appendix B). This is done to minimize or prevent adverse impacts. Tractor use is also limited to areas / existing skid roads that are compacted and would benefit from skid trail ripping to ameliorate this condition following tractor use.

Potential soil compaction due to the use of tractors or slashbusters was identified as a concern. The BLM has considered potential soil compaction throughout project planning and a number of PDFs (EA Appendix B, p. 7) are included in the project to preclude or minimize soil compaction and other soil impacts. While there will be potentially some impact to soils, the effectiveness of the project design and requirements are reflected in the EA's finding (p. 10) that there will be a "minimal" amount of compaction, overall.

*5. Soils impacts not discussed sufficiently. (KSWC)*

As noted, the project includes a variety of project design features that will limit or preclude the potential adverse impacts on soils. This includes impacts from the use of a slashbuster machine or heavy yarding equipment. In the EA and the supporting documentation, the BLM's professional soil scientist points out that the anticipated impacts are localized and negligible. Extensive discussions about the absence of impacts are counter to the purposes of an EA which is to identify whether there are potentially significant impacts in addition to those already anticipated and analyzed in the RMP EIS. The areas of sensitive soils are mapped (EA map 6). This information will be useful in designing neighborhood plans and in assessing site specific soils impacts at that time. The analysis including current condition and potential effects can be found in the "Supporting Analysis and Documentation" (available on the Medford District's website). The findings of this analysis are summarized in Table 4.1 of the EA.

*6. The locations of Gentner's fritillary and various Survey and Manage species must be presented in the EA, but are not. Presenting this information in supporting documents (BA and LOC) is not sufficient. The EA is inadequate unless all surveys are completed and all findings are included in the EA. (KSWC)*

This comment pertains, in part, to the conceptual aspect and legal requirements of an Environmental Assessment. An EA's purpose is to focus on and to identify potentially significant impacts of a proposed action. It does not need to include all resource information that is available or known. When this fuel hazard reduction project was designed, extensive protective or mitigating measures (e.g., protective buffers that are based on the recommendations of scientists knowledgeable with particular special status species) were included either specifically or by direction of the larger resource plans to which the present EA is tiered. This is done to insure that adverse impacts are minimized and, given that these measures will be implemented, it is reasonable to conclude that the impacts are not likely to be significantly different than those already identified and analyzed in the EIS for the RMP. It should also be pointed out that the Council on Environmental Quality critically reviewed this project's EA with the finding that its content is sufficient and consistent with the requirements and purpose of an EA.

While this specific information is not in the EA document itself, it is a part of the Biological Assessment prepared for the project and submitted to the US Fish and Wildlife Service as a part of ESA consultation. The BA is an environmental analysis document used by the USFWS in their assessment of the BLM's findings regarding potential impacts on ESA listed species. It is also used by the decision maker to evaluate the degree of impacts a proposed action might have and to insure that potential impacts to these species are appropriately minimized. Two sentences from the BA are especially pertinent to this issue:

“This biological assessment (BA) analyzes effects of the Rogue River Hazardous Fuel Reduction Project, located in Josephine County, Oregon on the threatened northern spotted owl (*Strix occidentalis caurina*) and the endangered Gentner's fritillary (*Fritillaria gentneri*).”

“This BA addresses the impacts of the proposed Rogue River Hazardous Fuel Reduction Project on northern spotted owls and Gentner's fritillary.”

The BA also states (p. 7) that “Surveys for Gentner's fritillary are ongoing. No populations have been found to date. All lands with scenic easements and federal lands will be surveyed prior to treatment during the spring blooming season (April – May) in suitable habitat.” Surveys for this ESA listed species have been completed for three neighborhood plans. No occurrences of Gentner's fritillary were found. A discussion on suitable habitat will be included in each neighborhood plan EA and will focus on the fact that suitable habitat has been altered due to encroachment and non-natives.

The Effects Determination in the BA (p. 11) states that “Negative effects to the species are insignificant given the conservation measures. The proposed project is expected to have a long-term positive effect on Gentner's fritillary and the spotted owl by improving habitat conditions and reducing the risk of catastrophic wildfire in treated areas.” The USFWS's Biological Opinion reiterates this. Also, the recently released Recovery Plan for Gentner's fritillary lists reduction of successional encroachment and shading by means of prescribed fire, mowing, pruning, selective removal of trees and shrubs or other means as approved management strategies for the species (Recovery Plan for *Fritillaria gentneri*, Regional, USFWS, Portland, OR. 2003).

Completing all surveys and including the information in the EA is not necessary for identifying potentially significant impacts of a project. The EA and other planning documents (e.g., NFP and RMP) set forth the protective measures that will be taken when an occurrence of special status species is found. These protective measures are designed to ensure the persistence of the species and, in most cases, to ensure its persistence at its current locations. The EA also clearly states that the project involves a two-tiered planning approach with additional separate tiered NEPA documentation to be prepared at the neighborhood plan level. Surveys will be completed prior to neighborhood plan decisions.

Survey and Manage as well as Special Status species surveys have been completed for both vascular and non-vascular plants for portions of the project area and will continue next season. Both BLM and private lands with interest in fuel treatments have been surveyed.

With regard to the Red Tree Vole, a survey and manage species, there is very little suitable Red Tree Vole (RTV) habitat in the project area. Where habitat exists, protocol surveys have been

conducted and potential nests located. Prior to ground disturbing work around these sites, these nests will be investigated (trees climbed) to determine if in fact they are RTV nests. Confirmed active RTV nest trees will be protected with appropriate buffers specific to the proposed fuels reduction treatments. Fuels reduction work is not categorically excluded within these buffers.

In conclusion, surveys to locate occurrences of S&M and special status species have been ongoing and will continue throughout the neighborhood planning process. Knowing exact locations, or even if a particular species will be located, is not necessary to evaluate the potential effects of a proposed action. The EA states that if these species are located, they will be appropriately buffered according to the management recommendations approved through the S&M program. It should also be pointed out that some of the species would thrive after site disturbance or burning.

*7. Proposed activities within the designated Northern Spotted Owl Critical Habitat Unit. (KSWC, NRDC)*

Two letters expressed the opinion that the viability of the designated Northern Spotted Owl Critical Habitat (CHU) will be compromised by the project. Their view was that nothing should be permitted to occur within this CHU.

The potential impact of fuel hazard reduction work in the CHU on both spotted owl habitat and CHU functionality was a concern of the BLM during project planning and was evaluated by the USFWS. These analyses concluded that there is no indication that the viability of the CHU will be compromised by the proposed action. In fact, the USFWS states that CHU function may actually be improved in the long term by the reduction of the potential for severe wildfire.

In reviewing these comments regarding the designated CHU, the BLM discovered an error in EA Table 4.1 (p. 13). The table incorrectly indicates that proposed alternatives will change 415 acres in the CHU from foraging habitat to a dispersal habitat (a reduction to a lower quality habitat condition). It should state that the 415 acres will be altered by the proposed treatment, but will not be degraded to a dispersal quality, and the functionality of the CHU will not be adversely impacted. (See EA Errata – 9/23/03 posted on the Medford District’s website.)

*8. Work should be structured to avoid conflicts with recreational use along the river corridor (early morning hours or off season). (FLOW)*

Our scheduling of fuel reduction work takes into account many factors including such things as seasonal IFPA industrial fire closures, seasonal operating constraints to protect special status species, the potential early morning or weekend disturbance to area residents, and potential disturbance to shore or river recreationists. Certainly it is unreasonable to expect that all noise disturbances will be avoided. It should, however, be of relatively short duration and will be scheduled to avoid the most sensitive periods. In considering potential noise disturbance, one should keep in mind that this project is located within the Hellgate Recreation Section, a section of the river that is quite developed. There are other sources of noise such as vehicles, generators, watercraft, recreationists, and the river itself.

9. *Alternative 4, with its removal of large conifers and associated impacts on species and soils, is not desirable. (FLOW)*

Alternative 4 has not been selected for implementation. Alternative 3, the proposed and selected alternative, has a 12" DBH upper limit on the trees that would be thinned.

10. *Appropriate extent of fuel reduction treatments.*

A range of views were presented regarding the extent of fuel reduction treatment that should be pursued and which of the zones should be treated or should be the focus of treatment. They ranged from the view that there is no need to treat fuels in the project area given the proximity of the river (*Mowen*), to the view that limiting treatments to the home ignition zone should be adequate (*Native Plant Society*), to the view that treatments should focus on the defense zone (*ONRC*).

The EA included a range of treatment levels within the four different zones. The BLM agrees that treating the home ignition zone is a key part of reducing potential property losses. However, treating beyond this is also an important part of providing for the safety of residents and firefighters in the event of a wildfire. This is a key goal.

In evaluating the alternatives it is important to consider the fact that vegetation densities have been increasing for many years. They are at or above historic or natural densities. This is leading to increased tree stress and mortality. These density levels are much greater than would be anticipated under the historic frequent fire regimes. Effective fire suppression in the area for many years has contributed to this "unnatural" condition. We thus believe that treating more than just the home ignition zones to reduce vegetation / fuel hazards is advantageous, if not critical, for protecting resources, property, and river values in the event that a wildfire occurred. None of the proposed alternatives will eliminate the potential for wildfire but they will aid in reducing a wildfire's potential intensity.

The crux of the issue is clearly one of "how much treatment to how much area". There's broad agreement of the importance of fuel reduction in the home ignition zone, thus its commonality in each of the alternatives the BLM has presented and analyzed. Different levels of treatments in the other zones provide increasing levels of risk reduction up to Alternative 4 that would involve the heaviest level of treatment in order to reduce the potential for crown fires initiating and being sustained in all but the most extreme fire weather conditions. There are numerous instances within the region and locally which have demonstrated the value of fuels treatments in substantially reducing fire severity. A recent study by the Western Forest Fire Research Center concluded, "Our results unanimously indicate that treated stands experience lower fire severity than untreated stands that burn under similar weather and topographic conditions" (Omi and Martinson. March 2002. Effects of Fuels Treatment on Wildfire Severity). Thus, fuel reduction treatment provides for more fire resilient forests, minimizes undesirable property and resource impacts, and provides for greater public and firefighter safety. It is BLM's policy and goal, as well as that of the Oregon Department of Forestry, to quickly suppress wildfires in the project area in order to protect resource and property values. Each of the proposed alternatives would facilitate this, although to different degrees. The proposed and selected Alternative 3 provides a balance between meeting the fuel hazard reduction goals with meeting the resource and property protection goals.

## *11. Slashbuster use*

Three organizations (*NPS, ONRC, KSWC*) expressed reservation about the use of the slashbuster machine for treating vegetation / slash because it is “unproven technology” that could generate excessive fuels, overload soils with carbon pulses, be unsightly and have adverse soil and wildlife habitat impacts. As noted above, the decision is to modify Alternative 3 to reduce potential slashbuster use to the seldom seen areas in the Applegate Reach. This will reduce the potential areas from 1,247 acres to approximately 285 acres.

It is recognized that there has not been a great deal of scientific research specific to the potential impacts of this specific machine. The BLM resource specialists have considered the potential impacts based on qualitative observations of the impacts of the machine and by integrating that with knowledge about impacts due to other heavy equipment, vegetation responses and habitat changes that arise from other methods of vegetation treatments, and well studied fire effects. Based on this knowledge, the machine’s use has been highly constrained both in where and how it might be used on this project. Each potential slashbuster unit will be assessed during the neighborhood planning process to determine: a) whether slashbuster is the appropriate method for fuel reduction, b) where current noxious weed locations are in and adjacent to these units, and c) where appropriate native plant restoration, *i.e.*, noxious weed control and/or native grass seed distribution would be appropriate. New information will be integrated in these plans as it becomes available. Additional constraints will be developed, if found necessary, and applied as appropriate.

The BLM has shared the concern regarding potential loss of habitat heterogeneity that the slashbuster, or any other method of treatment, could result in. Several project design features (EA Appendix B, p. 5-6) were specifically included to reduce such an effect. These PDFs direct the retention of a variety of untreated areas for maintaining habitat diversity. The limited acres where this method of treatment might be employed largely blends in with the great habitat diversity that already exists at larger spatial scales.

## *12. Vegetation response to the types of treatments proposed will only result in increased hazard. (NPSO)*

The BLM has a great deal of experience in managing the diversity of vegetation types in the project area and in designing vegetation treatment prescriptions based on a consideration of the responses that different species and plant associations have when growing conditions are altered through direct vegetation management actions. Our concern throughout design of the project and prescription has been how to reduce the present fuel hazards without creating conditions that would create a higher fuel hazard in the long term. Integrating fuel hazard reduction goals and known vegetation responses and dynamics has allowed us to design prescriptions that will achieve both an immediate and long term reduction of fuel hazard.

With regard to the potential for noxious weed expansion in treated areas, the BLM is also concerned about this. Site specific adaptations of the vegetation treatment prescriptions will include considerations to reduce potential noxious weed expansion. We do recognize that post treatment weed control work may be necessary to reduce the potential spread of noxious weeds. The BLM has an ongoing program for this.

*13. Uninventoried roadless area.*

One letter pointed out that the project was located in an uninventoried roadless area, suggesting that any fuel reduction within it should be done carefully to preserve the natural character. The BLM's RMP does not include the designation of roadless areas or direct specific management actions in areas that are without roads. Rather, it relies on land allocations with particular management objectives, objectives that are an integral part of this project. The referenced area in the Dunn Reach is within a Late-Successional Reserve. The fuel hazard reduction project is consistent with the management objectives of the LSR. We would also point out that roads (e.g., the Galice to Grave Creek road) and recreation sites do exist within this part of the project area.

*14. The proposal regarding road construction is unclear and inconsistent between documents. (KSWC)*

Under Alternative 3, the proposed and selected alternative, no new permanent road construction is planned. The overall goal is to avoid new construction to the greatest extent possible. However, the need for temporary spur roads to support removal of biomass for off site use (e.g., fuelwood, special forest products) may be identified during neighborhood planning. If they are needed for project implementation, their potential impact would be evaluated to determine if additional ESA consultation is needed. These roads would be obliterated after they are used.

The construction and use of temporary spurs / roads would be guided by the PDFs addressed in EA Appendix B. There are also many "Best Management Practices" outlined in the Medford District's RMP that would be used if temporary spurs are needed. These BMPs are standard practices employed to reduce the potential for adverse impacts.